

CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT

BARROW  
Ellison

74-CR-138

D. C. Form No. 100A Rev.

TITLE OF CASE

ATTORNEYS

THE UNITED STATES

vs.

JAMES CARREL LUMAN (hand)

For U. S.:

Hubert H. Bryant

John Russell (5/99)

For Defendant:

James W. Fransein (ct. appt)

4th Natl. Bldg.  
Tulsa (583-1338)

Pro se (1/3/94)

P O Box 220

Stringtown Ok 74569

Deft. Add.  
3829 East 54th St.  
Tulsa, Ok 74135

James C. Luman (2255-4/22/99)  
P.O. Box 97  
McAlester, OK 74502  
PRO SE

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 12-1-74	Clerk				
J.S. 3 mailed <del>7-16-75</del> 8-1-75	Marshal				
Violation Dyer Act	SUPPL. 12-1-75				
Title 18	Docket fee				
Sec. 2312					
(1 ct. \$5000 and/or 5 yrs)					

DATE	PROCEEDINGS
11-26-74	Record vote of grand jury, filed in open court. rm
11-26-74	Indictment, filed in open court. rm
11-26-74	Appearance Bond, \$5,000.00 (surety) with Order Specifying methods & conditions of release, filed. b
12-3-74	Case set for arraignment & plea on 12-10-74, at 10:00 A.M. (AEB-J) b nts. mld.
12-10-74	Case called for arraignment & plea. Deft. present & represented. Govt. represented. Deft. acknowledges receipt of indictment and is advised of charge. Deft. arraigned and enters plea of NOT GUILTY. Case to be set on next jury docket. Deft. allowed to remain on present Bond. (AEB-J) b
12-24-74	Application for permission to leave jurisdiction, filed. lm
12-24-74	Order, filed, permitting deft. to leave jurisdiction. (AEB-J) lm
1-8-75	Case set for jury trial 1-27-75 at 9:30 a.m. (AEB-J) hm
1-13-75	MO: Ordered by the Court that case be stricken from jury trial on 1-27-75, and re-set for 1-28-75, at 9:30 A.M. (AEB-J) b

DATE	PROCEEDINGS
1-28-75	Case called for jury trial. Deft. present & represented. Govt. re-
	presented. Parties announce ready. Jury selected & sworn. Pltf. makes
	opening statements. Deft. defers same until close of Pltf's case.
	Pltf. presents case in chief w/testimony of witnesses. Witnesses sworn
	and testify. Pltf's exhibits 1 thru 7 admitted. Pltf. rests. (Out of
	hearing of jury) Deft. makes motion for Dismissal, motion denied.
	4:00 P.M., Court recessed, to reconvene at 10:00 A.M. 1-29-75.(AEB-J)b
1-29-75	Deft. counsel announces Deft. is withdrawing plea of not guilty.
	Deft. withdraws plea of not guilty and enters plea of GUILTY, and
	is adjudged GUILTY as charged. Deft. waives jury & waiver is signed
	& filed in open court. Court order pre-sentence report. Sentencing
	set for 2-18-75, at 10:00 A.M. Deft. to remain on present bond.
	Jury returns to courtroom and are discharged from case.(AEB-J)b
1-29-75	Trial exhibits 1 thru 7 filed. b
2-5-75	MO: Ordered by the Court that sentencing be continued to 2-19-75,
	at 10:00 A.M.(AEB-J)b nts mld
2-18-75	Application of James W. Fransein to withdraw as attorney, filed. lm
2-19-75	Case called for sentencing. Deft. Present & represented. Govt.
	represented. Deft's counsel makes oral application to withdraw
	application filed 2-18-75 to withdraw as atty. for Deft. Applic.
	to withdraw as atty. stricken as moot by Court. Deft. & counsel
	asked if they have anything to say before sentence is pronounced.
	JUDGMENT & SENTENCE - James Carrel Luman
	Atty. Gen. - Maximum period of Five (5) years for a study
	as described in 18, USC 4208(c), the results of such study to be
	furnished this court within 90 days, whereupon the sentence of
	imprisonment herein imposed subject to modification in accordance
	with 18, USC 4208(b). Execution of sentence is deferred to 3-18-75,
	at 9:30 A.M. Deft. to remain on present Bond.(AEB-J)b
2-19-75	Judgment & Commitment filed and entered.(AEB-J)b
2-19-75	Two c/c of J&C delivered to USM. b
3-17-75	Affidavit for Continuance by Deft. to Approx. 4-1-75, filed. mm
3-18-75	Order, filed, deferring execution of sentence imposed until 9:30 a.m.,
	April 1, 1975. (AEB-J)g
4-18-75	J&C. ret. & filed: defendant delivered to Federal Reformatory at
	El Reno, Ok. on 4-9-75. g
6-25-75	MO: Ordered by the Court that case is set for Definitive sentence
	on 7-8-75, at 10:00 A.M.(AEB-J)b nts mld
7-8-75	Case called for definitive sentencing. Deft. present & represented.
	Govt. represented. Deft. and counsel are asked if they care to say
	anything before sentence is pronounced.
	JUDGMENT AND SENTENCE - JAMES CARREL LUMAN
	Atty. Gen. - 5 years pursuant to T. 18 U.S.C. §4208(a)(2).
	A 90 day progress report is requested. Deft. is remanded to custody of
	U. S. Marshal. (AEB-J)k
7-8-75	J & C, filed and entered. (AEB-J)k
7-8-75	2 c/c of J & C delivered to USM.k
7-29-75	J&C, ret. & filed: deft. Luman delivered to USP, Leavenworth, Ks. on
	7-24-75. g
8-15-75	Application of James Carol Luman to reconsider sentence imposed on 7-8-75,
	filed. mm

*11/11/75  
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gms*

## CRIMINAL DOCKET

JAMES C. LUMAN

DATE	PROCEEDINGS
11-4-75	Order sustaining Deft's motion for reduction of sentence & hereby Modifying & reducing to the following: IT IS ADJUDGED that the Deft. does not need commitment, & the execution of sentence is suspended and the Deft. is placed on Three (3) years probation pursuant to 18, U.S.C. Sec. 3651. It is a condition of probation that the Deft. obtain employment, and stay employed. Also, that he not associate with any known criminals. (AEB-J)
11-4-75	Two c/c of Order to USM. b
11-4-75	Two c/c of Order to probation. b
11-12-75	USM return on Order modifying sentence, filed: copy of order mailed to U. S. Penitentiary, Leavenworth, Ks. on 11-6-75. g
<u>1994</u>	
1-3	MOTION of pro se deft to correct judgment and sentence. rm c/L.C.
1-13	MOTION allowing late fld of trial brief(resp). b O-J
1-13	ORDER allowing flg of response. (JOE-J)b c/mov
1-13	RESPONSE of Govt. to mot/correct judgment & sentence. b
1-20	REPLY BRIEF of deft. b
5-6	ORDER DENYING deft's R. 35 motion(JOE-J)b c/m
<u>1999</u>	
4-22-99	<b>MOTION</b> to vacate/nullify judgment & commitment by defendant 99-CV-301-E(E) (pro se) C/J C/USA
5/18	MOTION of govt for ext/time to resp to mo/2255. (o2j) pw
5/18	ORDER that pltf grntd to 6/11/99 to resp. JOE c/m pw
5/21	MOTION of deft opposing ext/time mo/sumjgm (c/j) pw
5/26	RESPONSE of govt to mo/vac/nullify J&C. pw
6/7	ORDER denying mo/vac J&C. JOE c/m pw EOD 6/9
6/7	REPLY of Luman to mo/vacate. pw

DATE

PROCEEDINGS